

REMARKS

The Action indicated that claims 1, 6-9, and 11-13 were pending at the issuance of the instant Advisory Action. The rejections set forth in the Advisory Action are traversed by argument below.

1. Drawings

The Action objected to Figure 1 because the specification did not indicate what #2, #6, #7, and #1 represent. In addition, the Action objected to Figures 2-3 because the specification did not provide a description of the number values in figures. The specification has been amended to overcome these objections. No new matter has been introduced as a result of these amendments.

2. Rejection of claims 6 and 11 under 35 U.S.C. § 102

Claims 6 and 11 stand rejected as being anticipated by Salton *et al.*, 1991, *J. Neurochem.* 57:991-6. Claim 6 has been amended to more particularly point out that the fusion proteins encompassed by the claim comprise an amino acid sequence derived from a non-VGF gene. Salton teaches that the native NGF33.1 nucleic acid and amino acid sequence, which comprises the amino acid sequence of SEQ ID NO: 7. Salton does not teach fusion proteins comprising an amino acid sequence derived from a non-VGF gene. Thus, Salton does not anticipate claim 6. Consequently, reconsideration and withdrawal of this ground of rejection is therefore respectfully requested.

The Action further asserts that Salton anticipates claim 11 because Salton's polypeptide is covalently attached to water-soluble amino acid residues. Claim 11 has been canceled and claim 12 has been amended to encompass the polypeptide of claim 6, which comprises an amino acid sequence derived from a non-VGF gene fused to the amino acid sequence of SEQ ID NO: 7 covalently modified with a water-soluble polymer. Applicants respectfully point out that Salton does not teach the polypeptide of claim 6. Rather Salton teaches the NGF33.1 sequence, which comprises SEQ ID NO: 7. Salton does not disclose or describe the polypeptide of claim 6 covalently modified with a water-soluble polymer. Since Salton does not teach the polypeptide

of claim 6, Salton does not anticipate claim 12. Reconsideration and withdrawal of this ground of rejection is therefore respectfully requested.

CONCLUSION


Applicants respectfully contend that all conditions of patentability are met in the pending claims as amended. Allowance of the claims is thereby respectfully solicited.

If Examiner Hayes believes it to be helpful, he is invited to contact the undersigned representative by telephone at (312) 913-0001.

Respectfully submitted,
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